

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

February 28, 2005

7:00 p.m.

The Mayor, Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Mr. Fisk, would you call the roll please?"

Clerk Fisk: "Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"Tom Coyne."

Councilman Albier: "Here."
Councilwoman Pucci: "Here."
Councilwoman Brown: "Here."
Councilwoman Gallagher: "Here."
Councilman G. Frey: "Here."

President Albier: "Tom Coyne was called out of town this morning on business, he won't be here this evening."

Clerk Fisk: "John Frey."

Councilman J. Frey: "Here."

President Albier: "Next we have the reading of the agenda. We had the Pledge of Allegiance, roll call, reading of the agenda, approval of the minutes for February 14th, public session, and there's going to be a little change now that wasn't in here before. After the public session we're going to have reports from committees, commissions and boards. And so that would be a report from the chairman of each one, like chairman of the Public Works, chairman of the Public Safety, Finance, and the Rec Board, the Planning Commission. And at this time the Council would like to ask the Mayor to have a representative from the Parma Hospital. Brooklyn has two directors on the Board at the Parma Hospital, we'd like to have a report from them maybe once between now and June, and maybe another one in the fall. So if you could take care of that Mayor we'd appreciate it."

Mayor Patton: "Will do."

President Albier: "After the reports from the committees we have reports of Council, the Mayor's report, directors' report, then we have audience participation on the legislation on the agenda. And tonight Ordinance 2005-9, Designating Key Bank, National City Bank, Charter One Bank, Fifth Third Bank, Huntington National Bank and First Merit Bank as depositories for active and interim funds of the City of Brooklyn, Ohio for the period from April 1, 2005 through March 31, 2010. And at the Finance meeting Mr. Fisk explained to us that it's now a five year period that you sign a letter with these banks. Ordinance #2005-10, Authorizing the Mayor to seek bids for capital projects, equipment and city services for fiscal year 2005; Ordinance #2005-11, Authorizing inter-fund transfers and advances during 2005; Ordinance 2005-12, Annual Appropriations Ordinance; Ordinance 2005-13, Establishing the registration fee for the Day Camp program within the Recreation Department, repealing Ordinance 2002-16; 2005-14, Establishing the fee for participation in the annual Brooklyn Home Days, repealing Ordinance 1994-31, adopted June 13, 1994; Ordinance 2005-15, Adopting 2004 Residential Code of Ohio for one, two and three-family dwellings, replacing sections inconsistent therewith, and deleting as amended; Ordinance 2005-16, Adopting the 2003 Property Maintenance Code; and any other matters that might come before Council. I need a motion for approval of the minutes from February 14th."

Councilwoman Pucci: "Mr. Albier, may I be recognized?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "Okay, we have a few changes. Page 4, the 6th line up from the bottom, towards the right side where it says, 'it was the paper', we need to insert the word 'in'. It should be 'it was in the paper'. And then on page 5 at the end of the page there's a sentence missing under my remarks, and Mary-Jo did check this out and I believe she gave everyone a copy of what needs to be put in. After the word 'it' we need to insert, 'If there's any other Councilmembers interested, perhaps we could schedule a time where we could all do it together.' It was talking about the tour of the dispatch center. And there's another one. Page 11,

under the Mayor's remarks, fifth line from the bottom towards the left, it's just 'Defas', it should read 'defense'. So it should be Navy Defense Office. I think there's one more. Page 17..."

President Albier: "Mrs. Pucci."

Councilwoman Pucci: "Yes."

President Albier: "Mr. Fisk tells me that DEFAS is the correct term."

Councilwoman Pucci: "Oh, okay."

Clerk Fisk: "It's the Defense Finance and Accounting Support Center. So DEFAS is the..."

Councilwoman Pucci: "So should that all be in caps then or?"

Clerk Fisk: "Yes."

Councilwoman Pucci: "Okay, thank you. Page 17, I think it's about the 11th paragraph under my remarks, the third line down. Instead of 'negligent' I think it's supposed to be 'negligence'." I move we approve as amended."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To approve the minutes of February 14th as amended, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Abstain."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

President Albier: "The minutes are approved. We now have the public session. Anybody that has anything to say for the good and welfare of the City of Brooklyn, please come forward and state your name and address."

Joe Salem: "Good evening, I'm Joe Salem, 4587 Forest Edge Drive. As a member of the Board of Directors of the Brooklyn Chamber of Commerce and chairman of the Scholarship and Education Committee, I'm here to announce that the Brooklyn Chamber of Commerce, in an effort to encourage the continuing education and development of the citizens in our community will be offering two post-secondary scholarships in the amount of \$1,000 each. These scholarships will be given to two individuals who best meet the criteria as set by the committee. The award will be the form of a check payable to the college or university. Determination of the winners will be judged by a panel of Brooklyn Chamber of Commerce members. The first scholarship will be awarded to a graduating high school senior who currently resides in the City of Brooklyn and will be attending an accredited college or university full time in the fall. The second scholarship will be available to any Brooklyn resident who will be attending an accredited college or university full time in the fall. This includes current high school seniors, existing college students, and/or residents of any age returning to college. The criteria and applications for both scholarships will be available on-line at www.brooklynohiochamber.org. That's brooklynohiochamber, one word. The deadline to apply is Friday, April 29, 2005. The winners will be announced at the main luncheon meeting of the Chamber of Commerce, and the winners will be invited to attend and speak at the June luncheon meeting. Again, for more details and to apply please go to www.brooklynohiochamber.org. Thank you."

President Albier: "Thank you."

Debra Trace Ramser: "My name is Debra Trace Ramser, I reside at 4763 Forest Edge Drive. I know I have a short time, so I'm going to be quick and I'm going to read this directly from my paper. I'm here to inform you people of the city about something that has been going on for over three years now that your Mayor and Council have kept silent from you. I, along with seven other families, were sold property and

newly built homes on such property that is the city's sewer easement. Are you all familiar with Richard Lane, where we all played as children at Marquardt Park? That's where most of us and our children spent most of our time. Ladies and gentlemen, eight unfortunate homeowners were sold property and brand new homes in 1967 that is the city's sewer easement. This property should have been an extension of Richard Lane. We were sold property that does not even belong to us. We were sold property that in my opinion is a time bomb. Why a time bomb? Because at any time this pipe could break, wash away the foundations of our homes, along with our driveways, our yards, our children, and who cares. This, my friends, is why I'm here. Minute meetings and correspondence were never taken. We were never supplied with what would be any evidence of this administration ever speaking to us or them of knowing that you've looked at, excuse me, the problem existed. We, ladies and gentlemen, are the city. We are the people who pay property taxes, city taxes, the people who raise our children here, who support our school systems. We live every day of our lives in the City of Brooklyn. We watch out for one another. We make this city a safe place for our children to grow and come back to raise their family. This administration is not your city, they are a paycheck. Our welfare is not their best interest. And please excuse me, I do have a cold. Imagine how surprised and sickened we were when we found that for the last 38 years of our life, which we have been investing in our property and in our futures and our retirement, there's nothing. Who is going to buy a home that lives on a dinosaur that has been uncovered? The law states that you cannot hide any facts or pertinent information when selling property or homes. But yet the city sold us property and homes that doesn't even belong to us. That was never divulged. Do you think we will ever be able to sell our homes? I don't think so. I'd like to refer this as the big scam of '67. And yes I do know this administration is not responsible for the scam, but they are responsible to make things right. Let me make this picture a little more clear. We have the sanitation and storm sewers for the entire city. All human waste for the entire city runs on my property. Every time you flush your toilet, everything you put down it runs through my property. Why is our property sinking? Our garage, our land, our drains, our drive-in garage? Why is our garage flooded every time it rains? Hmmm. Why is that structures over the easement are dropping into the ground? Not the people in the neighborhood that live by us, not our neighbors, not, you know, the neighbors two doors down, three doors down. They're not sinking. Why are we sinking? Do you know how many times I have been told by the people from this administration that my home is 38 years old and the ground settling is normal? I don't believe that. What you see here is normal, Mrs. Ramser. This would have happened anywhere you live. But all the other homes in my area are 38 years old and why are they not sinking? Over the last three years, Mayor, you have assured me more times than I have fingers and toes, you're going to help me fix this problem. But you haven't. We, the victims, have not been provided with any valid information or proof to validate their findings. They keep as much as they can of this away from us, and they never have any intentions of letting you, the people of the city, now about this. Believe me, we have done our research, and over the past three years this fraud was uncovered, we the people went to Brooklyn city Mayor and the administration for help. We were devastated. Could you imagine thinking all this time you had this wonderful home and life only to find out, hey, guess what, guess what you're sitting on, you're property's worthless. Mayor Patton told us the city had the resources and the manpower, our property would be put back to value. But here we are three years later. We're still sinking. Mayor, I came here today to ask you to finish this, to fix the property. I want to know exactly when are you coming out, what are you going to do to fix it? You came to our home in the fall with me and my husband, you told us, you realize there is a problem. You were going to look at the underlying issue first because it didn't make sense to fix the top issue, which I agree with you. Why fix something that's just going to fall in again? But here we are and nothing. Nothing at all. I want this problem resolved by summer of 2005. I do not want to come back here next month, or in 2006 or 2007. I want this problem fixed now. This is my city, I am proud of this city, and I want to continue to be proud of this city. But I want this administration to live up to what it has promised. I want my property fixed. Mayor Patton, let's do it now. Earn the needed respect that you need from your people. Thank you."

President Balbier: "Anyone else?"

Judy Bazniak: "Good evening Mayor and City Council, Judy Bazniak, 6808 Northcliff. What will it take to have the city put up proper street signs? I asked in a letter if it was possible to put up a crosswalk sign at Biddulph and Williamston. Easy, right? I think not. This afternoon I'm driving west on Biddulph, and at the west corner of Biddulph and Williamston there's two telephone poles. On the second pole there is a sign that shows a lady and a little child, not even labeled 'crosswalk'. I was proceeding east on Biddulph, Williamston, and there is no sign there. What will it take to put up proper signs, preferably flashing crosswalk signs, since the crosswalk is by a school? Thank you."

Lou Changeri: "Good evening, my name's Lou Changeri, I live at 8972 Trail Run Drive. About, I think it was in January I was up here inquiring about the new animal ordinance that we were going to have. And I was wondering if anything's been going on with that."

Councilwoman Gallagher: "Not yet, I'm working on it right now with other law directors from other cities."

Mr. Changer: "Are you going to have any hearings on that for the public?"

Councilwoman Gallagher: "I'm going to have a... Mrs. Pucci is going to call..."

Councilwoman Pucci: "Yeah, we're going to schedule a Safety Committee meeting that will be publicized."

Councilwoman Gallagher: "I was going to call it this week, but Mr. Frey's going to be on vacation, so we're going to wait till he gets back and schedule it."

Mr. Changeri: "And I would like to know if there's going to be a grandfather clause put in there for people that have pets, or is that something that's under discussion, or...?"

Councilwoman Gallagher: "It's going to be under discussion."

Mr. Changeri: "Okay, so you are in the process of going to schedule meetings so that the public will be able..."

Councilwoman Gallagher: "Well I'm not, Mrs. Pucci will."

Councilwoman Pucci: "Yes, we are."

Mr. Changeri: "And will we, or myself, be able to get a copy of the ordinance before it's passed?"

Councilwoman Pucci: "Yes."

Councilwoman Gallagher: "Yes."

Mr. Changeri: "Okay, thank you."

President Albier: "You're welcome."

Councilwoman Gallagher: "And you're also welcome to come to the Safety meeting."

Mr. Changeri: "When's the Safety meeting?"

Councilwoman Gallagher: "Well we're going to call it."

Councilwoman Pucci: "That's what we're going to schedule."

Mr. Changeri: "Okay."

President Albier: "Is there anyone else that wishes to address the Council? Okay, we'll move onto the new part, which is reports from committees, commissions and boards. About half of the ones I'm going to call on probably won't have a report, because like the Planning Commission only meets once a month, and the Rec Board Commission only meets once a month. So if they haven't had a meeting they'll just say no report. So the first one is the Public Works, and the chairman of that committee is Greg Frey."

Councilman G. Frey: "Thank you Mr. President. I have here a copy of the street repair and maintenance program for 2005-2007. Mr. Kappler provided these two me prior to the meeting. Gale, will you see that Mr. Coyne gets one in his box?"

Clerk Fisk: "Sure."

Councilman G. Frey: "And I think it's time to call a Public Works meeting. I'd like to call it... Kathy, is your Finance Committee meeting the next time at 6:30?"

Councilwoman Pucci: "Do you... Mr. Fisk, do you think we'll be able to wrap things up in half an hour?"

Clerk Fisk: "Yes."

Councilwoman Pucci: "Okay, that's fine."

Councilman G. Frey: "Then I'd like to call it for 6:00 on, is that March 14th? That's the next Council meeting. We will discuss the bids that have come in to do various items of work at the library, we will discuss the, there's some information about Ridge Road that we need to talk about, we'll discuss the streets program, and other matters that we might need to discuss. Mr. Kappler, anything else you want to add to that?"

Director Kappler: "No, that covers it."

Councilman G. Frey: "That'll be enough for you?"

Director Kappler: "Yes."

Councilman G. Frey: "Okay. I think that's all I have Rich. So 6:00 prior... Gale, will you make the proper notifications?"

Director Fisk: "Yes."

Councilman G. Frey: "Thank you. And make sure that... There'll be some information in your packets prior to the next Council meeting with estimates and that kind of stuff. Make sure something gets put in Mr. Coyne's mailbox as well. Thank you."

President Albier: "Thank you Mr. Frey. The next one is the Public Safety, and Mrs. Pucci's the chairman of that committee."

Councilwoman Pucci: "And I was going to announce, but Mr. Changeri already raised the issue, we will be calling a Safety Committee meeting to discuss the animal ordinance. These meetings are open to the public and we welcome questions and input from the public. As Mrs. Gallagher stated, we're not going to do it this week because Mr. Greg Frey is going to be on vacation; but we will be scheduling a meeting, and we will have it posted. And maybe if we get it in time we can even have it listed in the Brooklyn Sun Journal."

President Albier: "Thank you Mrs. Pucci."

Councilwoman Pucci: "Thank you."

President Albier: "And I'm the chairman of the Rec Board, and we had a meeting last week, and we talked about that swimming team that wants to rent by the hour from the city, but they haven't finalized a contract yet. So there was nothing to report on that. And the other item was a resident wanted us to look into flag football, forming teams and stuff during the summer time. And they are looking into that. And that's all we had at the Rec Board meeting. And the Planning Commission, Mr. Frey, John Frey."

Councilman J. Frey: "Well I'm not chairman of anything, but I am on the Planning Commission. And we will have a meeting on Thursday, March 3rd. There was no meeting in February. And on Thursday, March 3rd at 7 p.m. in the Brooklyn Mayor's Court we'll have requests from Northcoast PCS for special use permit, approval to install roof mounted wireless communication antennas to be located at the Westbrook Village Apartments, 4200 Westbrook Drive, PP#431-18-102. Second request from RCU Architects, Inc. for lot consolidation and site plan approval, to construct a new fire station to be located at 8300 Memphis Avenue,

PP#431-02-002, -003, -004 and -008. And any other business that might come before the Planning Commission. That's it."

President Albier: "Thank you Mr. Frey. And the last committee is the Finance Committee, and Mrs. Pucci's the chairman of that committee."

Councilwoman Pucci: "Thank you Mr. Albier. We did have quite a bit we needed to go over this evening, so we started a bit early. Ordinance #2005-9, which designates the banks that we're going to sign contracts with for depositories for active and interim funds for the city, and this is going to cover from April 1 thru March 31 of 2010, which represents a change for us. In the past we had two-year depository agreements, and now banks may be designated for five years. Basically this just covers all the bases. We've added a few more banks, because a lot can change over five years. So this way we're keeping our options open, so that if one bank does have either a product or rate that would be advantageous to the city, we would be able to take advantage of that. Ordinance #2005-10 authorizes the Mayor to seek bids for the capital projects for the upcoming year. And this is instead of the Mayor coming before Council before each separate project to get authorization to advertise for bids. We do have approximate dates that we will be looking at the advertising of bids, and we also are going to stipulate again this year that Council be notified ahead of time before we advertise for bids so that we're aware of what's going on. 2005-11, authorizing the inter-fund transfers and advances, we received another advance in property taxes from the county. And just like we did at our last meeting, we're transferring those funds that are designated from Issue 10 for the Safety Forces Construction and Capital Improvement Fund, we're transferring from the General Fund into that fund, and then we're advancing back the same amount that we basically had lent earlier in the year to cover the architect's contract. 2005-12, this is our appropriations ordinance, and it's quite lengthy. This replaces our temporary appropriations, and this evening we'll be placing that on first reading. This gives everyone a chance to read through the document in its entirety, and it gives us several meetings to address any questions that we have. 2005-13, this is going to represent a change for some of our residents who use Day Camp. This is going to take the Day Camp registration fee, for the five-week program it's now going to be \$125, or \$25 a week. For many years we have provided this program, and last year Day Camp cost the city \$17,000. And the Mayor and Finance Director have advised us that we just can't continue to subsidize this at this rate. This is a hard one for me, because I know Day Camp has been around a long time, and I know we have some residents who really count on this program, and I know the kids really enjoy it. But there is no other city that provides this service at such a reduced rate. I did suggest that we do publicize this as soon as possible, and I would like to see this get in the Sun News, for a couple reasons. First of all, when people go for super sign-up, and, you know, they're going to see this drastic increase, this is going to be like a sticker shock for them. So I think it gives them advance notice where they can decide if they do want to continue their children in the program at the higher rate. The other reason is, for those families who do count on this as part of their day care... Day Camp is not day care, but some families do make arrangements for someone else to drop their child off and then pick them up from Day Camp, they're going to need to make other arrangements. And I think as much time as we can give these families to find an alternative program, the better off they'll be. So I hope Mayor, I know we discussed at the last meeting that we're going to send notices home through the schools, so we make sure that people are well aware of this change. And then Ordinance #2005-14 revises the fee for participation that we charge at the annual Brooklyn Home Days. And this covers both our resident non-profit groups, the profit groups, both resident and non-profit, or both non-profit and for profit groups. This is going to up the fees that we charge for people to participate in Home Days. And I believe that completes my report Mr. Albier, thank you."

President Albier: "Thank you Mrs. Pucci. That's the last from our committees. Now we'll have reports from Council."

Councilwoman Gallagher: "Mr. Albier, I have Domestic Violence."

President Albier: "Oh, okay, Domestic Violence, Mrs. Gallagher."

Councilwoman Gallagher: "Thank you Mr. Albier. I have a report from the Domestic Violence Committee, which met earlier this month. First I would like to thank the Committee for all their time and hard work. Our newest member is Kevin Corp, who has been appointed for the Brooklyn School Board. With the help of Mr. Corp, the Committee is exploring ways to address the presence of domestic violence within the school, and the role of our educators in this process. Without support policies in place, the teachers must bear

responsibilities for meeting the needs of children of domestic violence. We also discussed the possibility of teachers addressing domestic violence as a social issue with their curriculum. Mr. Corp was meeting with the superintendent and reporting back to the Committee about these issues. Our next meeting will be March 9th at 6:30 in the Senior Center. Thank you."

President Balbier: "Thank you. Now we'll have the reports of the Council. Who's first?"

Clerk Fisk: "You are."

President Rich Balbier: "Okay, I'm first. Mrs. Ramser called me up last week and told me about the problem. I'd known about the problem, but I didn't know where it stood, and she gave me a lot of information that I didn't know. So when I called Mayor Patton he advised me that our city engineers were going to meet with her personally this week. And so I don't know if that's going to take place or not, so during your report maybe you can address it Mayor."

Mayor Patton: "Okay."

President Balbier: "The only thing I have to report on, last week I called a Committee of the Whole meeting for two reasons. One was to discuss the manual on personnel, the personnel manual the city wants to adopt. And our meeting lasted for over three hours. We dissected it section by section. And nobody was against it, but we were all offering suggestions, and we wanted wording changed and so forth. And basically, anything in the manual that conflicts with a union contract, the union contract will take preference. However, there are things in the manual that aren't mentioned in union contracts, like for instance cell phone use, internet, and things like that nature. So the manual, when it's finally passed, will also include the people who that in union contracts when it comes to those things. And because we had so many suggestions, Mr. Shaper asked that we take it off the agenda tonight, which I did, because he's going to need like six weeks to research all this, so when he finally comes back to us with this we'll put it back on the agenda. And the other part of the meeting was for Council rules, and we all agreed to put in this thing what we did tonight with the reports from committees and commissions and so forth. And there was one item I forgot to mention at this meeting, and I want my colleagues to think about it. I think we should have one more committee, and that should be a Legislative Committee. Because when you have ordinances that have to be discussed, we try to force them into three committees we have, and they don't always fit. That's why I called that Council of the Whole. So I would like my fellow Councilmen to think about this. I'd like to have a Legislative Committee so if it doesn't fit in these committees I can designate it to the Legislative Committee to hold hearings on it. And that's all I have. Mrs. Pucci."

Councilwoman Kathy Pucci: "Thank you Mr. Balbier. First I'd like to congratulate Bob Kelber, the assistant manager over at the Rec Center. I know today is his last day, he's going to be retiring. And I know he's been with the city over 30 years. I'd like to wish him well in his retirement, and also thank him for all the assistance he's provided me over the years, especially, as I mentioned before when Mr. Thompson retired. When I first got on Council I was on the Rec Board, I think for the first three years, and I really learned a lot from them. So I'd like to thank him and wish him well in his retirement. We also received a notice for a fundraiser in memory of Timothy Knight for his wife Gina and daughter Chloe, it's going to be at Don Pablo's restaurant, which is on Tiedeman Road. And it's going to be on March 4th. And it says the servers are donating a percentage of their tips, the restaurant will match the money collected. Hope you can participate, there will also be tip jars at the restaurant if you want to stop in and donate to this cause, if you either don't like Mexican food or can't make it that evening. Chief Murphy, thank you for your assistance over the past couple weeks. Mrs. Bazniak, one of the issues I brought up with Chief Murphy was your letter about the crosswalk sign. And Chief, I did notice that it still seems to be hidden by one of the poles there, if you could take a look at it. There's like a real big..."

Chief Murphy: "That was my mistake, we put it on the wrong pole. That pole in front of it is supposed to be removed..."

Councilwoman Pucci: "Okay."

Chief Murphy: "...but it looks like it's going to take awhile."

Councilwoman Pucci: "Okay. Thank you. And I know, Chief, I don't know if you want to address this issue, because I know I asked you when we got the letter requesting the flashers, I know you went out there and assessed the situation. I don't know if you want to address it. I think probably a sign going the other direction is a good idea to alert the people that are traveling east on Biddulph. But do you want to address the situation of the request for flashing sign?"

Chief Murphy: "Well we have overhead signs about 30-50 feet away from the crosswalks there. And the original complaint was there were no crosswalks. There are crosswalks. And there's simply, I don't see putting up another set of lights by 50 feet away from the other lights, is going to do us any good. So, we put the sign up and we think that should take care of it. I've been up there, there's only about three students, they're high school students that cross there, if that. So..."

Councilwoman Pucci: "Okay. And I do know, 'cause I went up there also, the cars are not paying attention to the crosswalk. I mean, I was up there three different days. And I would just ask people to please, you know, be a little more aware of the students that are crossing, because they do have the right of way. Certainly we don't want students walking out in front of cars, but the three days that I was up there, the cars do not pay attention. Because I watched where there were a few students trying to cross, and the traffic just keeps, you know, basically ignoring them. So, and will you take a look at the possibility of putting a crosswalk sign up traveling east on Biddulph?"

Chief Murphy: "Well, I can look at it. We do have signs going east..."

Councilwoman Pucci: "Okay. Alright, thank you. And also, I know Greg Frey had talked to the same resident that also contacted me regarding the actuators and how our traffic lights work. And I asked Chief Murphy for some input on this also. You know, years ago I think it was an unusual thing to have the loop detectors, so there was always a sign, 'to activate the signal please stop here'. Well now they're everywhere, and you can't put one of those signs everywhere. So the resident that brought it up to me, and I believe talked to Greg Frey also, he explained, you know, how they work. And since I talked to this resident I have been a little more aware. And I think it would be a good idea, and I mentioned this to Chief Murphy, if we could put some information in our city newsletter. Because what happens is, they're pretty much at all of our lights now, and if a motorist is not paying attention and if they hesitate between them and the car ahead of them, in many cases it does cause the light then to turn red. So instead of, you know, 15, 17 cars getting through the intersection, only two get through. So I think it would be a good idea to make our residents aware that we do have these signals that are, you know, we try and coordinate them, but if it doesn't sense that a car's there, you know, due to lack of movement or, you know, slow movement, it is going to change back to red, and traffic is just going to be backed up even further. And since this resident did bring this to my attention, I've been, you know, watching, and this does happen quite a bit, where people are either slow or not paying attention. So if we could get something in our newsletter about that I think it might help in some of the traffic. And thank you Chief for looking into that for me, I appreciate that. Mayor, when the Charter Review Commission met, did they set on a regular schedule, or are they going to call the meetings as necessary?"

Mayor Patton: "I was told the next meeting's on March 24th at 7 p.m. in the Mayor's Court. And I believe they agreed to every fourth Thursday through June."

Councilwoman Pucci: "Okay. And if we could make sure that we have the public notices for that, and also on the website."

Mayor Patton: "It is on the website."

Councilwoman Pucci: "Great, I think that would be helpful. Thank you very much. And I am going to request an executive session at the end of the meeting to discuss a lawsuit that has been recently filed. And Mr. Shaper, to get an update on the situation on Forest Edge, would we need to do that in executive session?"

Director Shaper: "Yes."

Councilwoman Pucci: "Okay. I would also request that..."

Director Shaper: "You don't need to, that would be my recommendation."

Councilwoman Pucci: "Okay, that we also get an update on that particular situation. And that completes my report Mr. Albier, thank you."

President Albier: "Thank you Mrs. Pucci. Mrs. Brown."

Councilwoman Rita Brown: "Thank you Mr. Albier. I have a very brief report tonight. Chief Murphy, the blind crossing at Ridge and Biddulph, is that still working? I don't hear anything from that area anymore. I used to hear somebody talking, you can cross, or whatever. I have heard nothing, and I don't know if it's being used, if it's activated..."

Chief Murphy: "The last time I was up there it was working."

Councilwoman Brown: "Okay, thank you very much..."

Mayor Patton: "We'll check it."

Chief Murphy: "Mr. Changeri, is that light..."

Mr. Changeri: "They were working this morning."

Councilwoman Brown: "They're working okay?"

Chief Murphy: "He's the school guard up there."

Mr. Changeri: "Yeah."

Councilwoman Brown: "Okay, fine."

Mr. Changeri: "But if nobody presses the button, they don't work."

Councilwoman Brown: "Okay."

Mr. Changeri: "If you press the button then it says you can no cross Ridge Road or you can cross Biddulph."

Councilwoman Brown: "Okay, thank you very much. Just double checking on that. Let me see. This is a very minor complaint, and I'm not sure who takes care of our public grounds. The grounds around City Hall, who makes sure that they're swept and clean and things of that sort, who's responsible for that?"

Comm. Ockington: "Mr. Kappler."

Councilwoman Brown: "Mr. Kappler, are you aware that somebody is using our planter as a cigarette butt repository?"

Director Kappler: "I was not aware of it, but I will check into it and I will solve that problem."

Councilwoman Brown: "What called my attention to it, I had occasion to come to City Hall today, and I noticed one of our workmen smoking in front of City Hall, and putting the cigarette into the planter, putting it out, and leaving it there. Well I was curious, so I went over and I looked at it, and inside are 10 cigarette butts and another cigarette butt laying on the ground by it. I do not approve of using our planter as a holder for cigarette butts. I really don't know what you can do to take care of it, but I'd appreciate something would be done. And that... It's going to be nasty weather, you brave folk that came out into this, I thank you for coming. If I didn't have to be here I wouldn't have come out tonight. Be careful going home. That completes my report."

President Albier: "Thank you Mrs. Brown. Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mr. Balbier. Good evening ladies and gentlemen. For my personal report I would like to thank Mr. Kappler for replacing those faded signs, thank you very much."

Director Kappler: "You're welcome."

Councilwoman Gallagher: "For my second item I would like to share a letter I received earlier this month from a resident about the garbage pickup procedures. Once every couple months we have very windy days in which garbage cans and recycle bins are blown into our streets. This resident was almost involved in a head-on collision because the other driver went left of center to avoid the receptacles in the street on Biddulph. In his letter to me this resident proposed the following, and I quote: 'How about an ordinance to use plastic bags for garbage, no cans? It would be safer, less labor involved, speedier, and no refuse blowing out of containers onto our treelawns, streets and private property. For a better, cleaner, safer Brooklyn, let's do it. p.s. Middleburg Hts. had this bag garbage collection for years.' Mr. Pasak, I think this is a very good idea, and I would hope that our city would consider such an ordinance. Mr. Kappler, I'm going to pass this letter onto you, it has his name, address and phone number, maybe you could talk with him."

Director Kappler: "Yes."

Councilwoman Gallagher: "And for my final item I would like to wish Bob Kelber good luck on his upcoming retirement. I had the pleasure of working with Bob on the Recreation Board. His wealth of knowledge was a great asset to our city. Bob is a very personable individual and an ideal role model for the children that participated in the recreational activities in Brooklyn. Bob, I will personally miss you as an employee of our city, and you will definitely be missed by the staff over at the Recreation Center. One more thing. Mrs. Ramser. You're right, we did have a Safety meeting last year, and I thought when the Mayor talked to all the residents it would try to be rectified. I know you came to me and you asked me for the copy of the minutes, and as Chairman of the Safety Committee that was a public notice put out, and later on, as I told you, there was no formal minutes taken at that meeting, which is a direct violation of the Ohio Revised Code. So I talked to the Mayor; Mayor, you were going to get back to me and tell me what happened. But maybe we can talk about that in executive session. And so I would hope that in the future maybe we can try to help these people still. I know all these people came to that Safety meeting, and I think most of us Councilmembers were here, and they poured out their hearts. So, you know, anything we can do to help would be great, but that's up to the Law Director and the Mayor. So thank you Mrs. Ramser for coming up. And that completes my report Mr. Balbier."

President Balbier: "Thank you Mrs. Gallagher. And we can't talk about that in executive session, it doesn't fit into one of the six categories. Mr. Greg Frey."

Councilwoman Gallagher: "Oh, one other thing, excuse me."

President Balbier: "Hold on. Yes."

Councilwoman Gallagher: "You know, you talked about the Legislative Committee, you appointed me to the Legislative Committee, and I talked to other cities about the Legislative Committees, and everybody does their legislation a little different, their committees. So I think we need to talk about that."

President Balbier: "Yeah, but yours wasn't a committee, yours was to report back to Council on legislation that affected us through the state, local and federal government."

Councilwoman Gallagher: "I understand, but a lot of cities don't do that. But I'm going to do that. The problem is, I think, I don't know how you want to work it, but we need to do something. Because as far as this legislation that's on the agenda, I think, I don't know if Tom Shaper said anything, but I think you need to throw some of this legislation into those committees so somebody could start looking them over before they go to the floor."

President Balbier: "That was my point. So you're trying to force them, and we only have three committees, so if we have a Legislative Committee it'll be only to hear Brooklyn legislation, and we'd go into that committee if it didn't fit in the other three."

Councilwoman Gallagher: "Okay, I just want to know how you're going to work it."

President Balbier: "That's the way I'd like to work it."

Councilwoman Gallagher: "Okay."

President Balbier: "Okay, Mr. Greg Frey."

Councilman Greg Frey: "Thank you Rich, or Mr. Balbier, thank you. I just have two comments. One, Mr. Fisk, I want to thank you for the 2005 budget report. I read that. I appreciate the summary notes that you provide us with, it makes understanding the comings and goings of the budget a little easier. I like the format that you put in. So thank you. And the other thing, the Committee of the Whole, I find that a very useful thing. I thought we had a very good meeting last week. A little long, but it was a useful exchange of viewpoints, and I thought it was useful discussion. So don't rule those things out, where we have an issue where we need to talk something like that, that's a useful vehicle for doing it. I think that's all I have."

President Balbier: "Thank you Mr. Frey. Mr. Coyne is not here this evening, like I said, he was called out of town this morning. Mr. John Frey."

Councilman John Frey: "Thank you Rich. I'd like to compliment and commend Bob Kelber for a fine job he's done for the city. The whole Kelber family is a credit to the city. It's a great family. They're great citizens of Brooklyn, and they help the community whenever they can. And I've been going over this street repair and maintenance program, Mr. Kappler, and I'm absolutely appalled by what I see. 2005-2006-2007-2008-2009, and Sunset Oval and Trail Run aren't mentioned. There's some very prestigious people live up there on Sunset Oval, okay, and it would be to your advantage to find some asphalt or something. There's a spot at the first driveway that really needs fixing, and really, there could be some help on the whole street. However, I don't find it in here, finding every other street in the city. And I'm on the...what am I on? I'm on the works project. My stars, I've lost all of my power. Anyway, that's all I have to report. Thank you."

Councilwoman Brown: "Mr. Balbier, may I be recognized?"

President Balbier: "Yes Mrs. Brown."

Councilwoman Brown: "Exactly what difference does prestigious people on Sunset Oval have to do with the ordinary citizen on Vandalia and Ardmore and Traymore? I don't think Sunset Oval deserves any special treatment."

Councilman J. Frey: "You have to figure that out for yourself Rita."

President Balbier: "Okay, we're done with Council reports."

Councilwoman Pucci: "Mr. Balbier, may I be recognized? I forgot to mention one thing. I had a call from a resident today, Mr. Kappler, regarding making sure that we maintain the streets we've repaired, and he specifically referred to the crack sealing. He mentioned that he thought Parma did their own crack sealing to save money, and he wondered if this was something we could look into so that we'd be able to have a little bit more of a maintenance, preventative maintenance program, for the streets we've already spent money repairing."

Director Kappler: "What we have been doing in the past is, out of our capital improvement money is spending approximately \$25,000 a year on crack sealing. I am familiar with Parma's program. I don't know the cost, I know it's a three-man crew. But I will get some facts and figures to see if it is possible for us to do it."

Councilwoman Pucci: "Okay, thank you very much; and thanks for your indulgence Mr. Balbier."

President Balbier: "Thank you. We'll now move onto the Mayor's report."

Mayor Ken Patton: "Okay, thank you. Mrs. Ramser, I'm glad you came this evening. You've been very patient, as have been the other owners pertaining to this matter. It's hard to make things right when they're more than 38 years old. 38 years ago I was 15 years old. I did tell you that I needed to meet with our city engineer, and his plan was to review the Cuyahoga County Engineer's filming of that sewer. I did get that report this morning in the mail, it was copied this morning by Jill Ludwig, my secretary, and I did have every intention of getting you that today, but it just didn't work out that I got it over there. So if you'd like to stay after, I have it in my office, if not I can bring it over tomorrow. But I will like to meet with you after this meeting. Judy Bazniak, you brought up about the signs, we will look into that to make sure that things will be safe for children crossing the street. Charter Review is on the website, that was brought up last meeting. Open house for a new communications center, I would guess that it's still a month to a month and a half away, because we still have some construction going on down there. And Mr. Kappler came forward with a five-year street plan. No news on the US Dolphins, they did not come forward. The City of Brooklyn was awarded \$15,000 for an exterior maintenance award through the Cuyahoga County Department of Development. We also entertained more than 60 people over at Coffee with the Mayor with Superintendent Jeff Lampert. I traveled to Columbus and met with House Representative DeGeeter, Miller, Hartnett, Redfern and others pertaining to funding for Quiet Zones. We'll see what we could get on that. We also met with our County Engineer Bob Klaiber about processing Ridge Road in 2007. A group of my staff and I also met with Shirley Palumbo, Helen Gutwein and Bill Robb from the Brooklyn Animal Shelter Group. We need to continue to meet, we need to continue to work and get things accomplished. We had a very good meeting, we met for a little more than an hour, and then Mr. Kappler took the group down to view the Service Garage. We need to find a temporary set-up so that we can get going with this group. We need to continue to work toward the care of animals. And we do have statistics that came out, and the group had slightly different statistics. But basically it comes down to half a cat, less than one dog per week, and 1.2 I believe it was wild animals per week. Those averages may change. Robert Kappler, our Service Director, our Council President, and myself did tour the Animal Protective League. They do have room, they do have adoptions available, things like that. And their recommendation to us was to have a three-four day facility, and then we can take things to them. Now there are things going on, that this group has a very good heart, and they would like to see if anyone goes in the hospital that their animals could be cared for by the Brooklyn Animal Shelter Group. Things like dog washes and things like that, putting on programs like that. And most of all, educating to people to neuter and spay their animals. So this is something that, we have to put in a little time. We as a Council and Mayor and administration have to meet with the group, and let's determine what's right, what isn't right, and what Brooklyn wants as their animal shelter. So I encourage everyone, let's meet and get on the work. We also met with Congressman Kucinich twice, once about the Quiet Zone and once about NASA. And we are proceeding with a resolution to pass onto our legislators to try to change that budget cut. I'd like to thank Wal-Mart and their associates, they're not called employees, they're associates. Today they gave a little girl who's five years old who needs a kidney \$5,000 to Make A Wish, and she's going to go to Disneyland. So congratulations to Wal-Mart, they do some good things there, and we're glad to have them as a business in Brooklyn. Meetings coming up. The Community Reinvestment Area meeting is going to be tomorrow, March 1st, at 6 p.m. right here in Council Chambers. Friday is Arts Alive over at Roadoan School at 6:30. They put on a nice program and they have their artwork and they do some musicals. And the Kiwanis Key Club is having a spaghetti dinner, that's their fundraiser for the Brooklyn High School Key Club, and that will be at our Senior Center on March 13th from 4-7 p.m. And I also want to wish my good friend Bob Kelber a happy retirement, I'm sure it will be. He and his family have worked very hard for our city, and he's definitely going to be missed. In the meanwhile, today I made Tom Bruzek acting assistant manager at the Recreation Center until further notice. 'Dear Mayor Patton. On behalf of myself, my staff and the Ohio High School Athletic Association, thank you for the use of your facility for the recent high school hockey tournament. As in the past, the tournament was a huge success. The cooperation afforded to us by your staff was tremendous. The tournament is a huge undertaking, however, when everyone has the same goal in mind anything can be accomplished. I would especially like to thank Mr. Bob Kappler, Mr. Al Sforzo, Mr. Bob Kelber, Mrs. Chris Dress, Mrs. Torino, Ptl. Brad Esper, the Police Department, Fire Department and the rink and building personnel for making our tournament a success. I want to thank my staff which consists of many dedicated Brooklyn residents who work long hours for very little pay. I've been connected with the tournament for 28 years. I can factually state that the working relationship between our staff has greatly improved since you have been elected Mayor of Brooklyn. I can guarantee as tournament manager I will be negotiating contract as soon as possible for the 2006 tournament. Sincerely, Mike Hadl, tournament manager of Ohio High School Athletic Association.' I did get some information from NOPEC, and again it seems they are going to wait until the price of gas comes down. And I have a couple sentences to read from a two-page letter, and this just is the gist of everything. It says, 'Once we see the wholesale market

prices start to decline, and an advantageous savings offer becomes available, NOPEC will lock into a price and begin the opt-out process. We will not do this, however, until we are sure that NOPEC customers will be in the best position to save money on their natural gas bills. We expect this to happen sometime in the next several months, giving NOPEC customers a favorable savings for next winter.' I need to clarify a statement Councilwoman Gallagher made on January 24th. It said, 'The Mayor said he would not be replacing any of the expected eight persons retiring this year from the Recreation Center and city service garage.' That may not be true. I will replace any position when I see it's required to continue to serve our residents. At our Senior Center. The St. Patrick's Day luncheon of course this year will be Thursday, March 17th. Music will be by Bob Spiwak, and dancing begins at 1:00. The lunch is served at 11:30. \$7 is the cost, and advanced ticket sales only at the Senior Center. Reminders the Senior Center will be closed on March 25th, which is Good Friday. HEAP applications are still available at the Senior Center, the deadline is March 31st. Lutheran Hospital Wednesday evening speakers, and it's open to everyone in our community. On March 9th from 7-8 the speaker will be Dr. Kalish Kidiah, on indigo laser for enlarged prostate treatment. There's refreshments provided, and reservations are required, so please call 363-2001. Brooklyn paramedics will be at the Senior Center for blood pressure readings on Thursday, March 10th and also the 24th, and that is from 10 a.m. until 11:30. And also Medicare assistance, if you need Medicare assistance on bills and things of that nature, Friday, March 11th from 11-12:30. U.S. Conference of Mayors constantly updates us on some things going on. One of the elimination in the federal budget, the Community Development Block Grants would be eliminated in fiscal year 2006. Totally eliminated. You're talking about \$4.7 billion of help that communities get. Also, law enforcement, the COPS hiring and inner operability funding, which currently our S.W. Council of Government's trying to get, currently funded at \$110 million, and the entire Justice Assistant Grant Program, which I believe has a little bit to do with the Juvenile Diversion, etc., and that particular one is funded at \$624 million. Both programs eliminated. Amtrak, would eliminate federal subsidies for Amtrak, leading to a shutdown of operations of Amtrak by October 2005. It also calls for 360 million to maintain existing commuter services, if Amtrak ceases to operate. Obviously it's going to happen. There's other cuts. Homeland Security First Responder Program would reduce Homeland Security First Responder assistance by 360 million, and increase the burden on local governments to pay for this vital service. Medicaid, would cut Medicaid payments from by \$45 billion and shift enormous responsibility for health care of the nation's poor to state and local governments. So there's tremendous cuts in all the budgets that's going on. That's another reason why I went to Columbus, to see if we could get any money before they run out, so... There's a lot going on that we need to pay attention to, especially federal budgets, state budgets, not only our own budgets, which our Council does a good job of following up with us. So we're trying to stay ahead of the game. We have a good situation in Brooklyn and we will make sure that we continue. That's my report."

President Balbier: "Thank you Mayor. We'll now have the directors' reports. Mr. Kappler."

Director Kappler: "Thank you Mr. Balbier. I would just like to let everyone know that we are ready for the snow storm that is on its way. All our trucks are up and running, our salt dome is full of salt. As of last Friday we extended our third shift and extra week, so we have three shifts covered all the way into the end of this week. And we're ready. So just so everyone knows, we do our streets first, sidewalks, then senior driveways. And that completes my report."

President Balbier: "Thank you Mr. Kappler. Mr. Ockington."

Comm. Ockington: "As Mayor Patton stated, the City of Brooklyn has received a \$15,000 Community Development Block Grant to fund the Exterior Maintenance Program for 2005. Low to moderate income homeowners are eligible to apply for a \$5,000 grant to fund exterior maintenance repairs to their residence. And then three repair projects will be funded in 2005. Program details will be advertised in early May, and applications will be available at that time. And that concludes my report."

President Balbier: "Thank you Mr. Ockington. Police Chief Murphy."

Chief Murphy: "The Police Department has no report."

President Balbier: "Thank you Mr. Murphy. And the Fire Chief is not here this evening because of personal reasons. Mr. Shaper, do you have a report?"

Director Shaper: "I don't have a report as such, I just want to say I will miss Bob Kelber very much. Bob Kelber treated everyone with courtesy, was a very, very decent person, and his career will be judged by the lives he improved. And he improved a ton of them. And I would like to follow his example. I thank you Bob."

President Balbier: "Thank you Mr. Shaper. We'll now have the audience... Oh, I always forgot about the guy next to me. Mr. Fisk."

Director Fisk: "Thank you. At the next Council meeting we'll have an ordinance for note renewals and the new notes for the fire station and aerial ladder truck for our Fire Department. And that will be on March 14th for three readings, such that we can take care of our note renewal and the new note in May. Thank you."

President Balbier: "Thank you Mr. Fisk. We'll now have the audience remarks pertaining to legislation on the agenda. Does anybody wish to address the Council? Okay, then we'll move on. The first ordinance is **ORDINANCE 2005-9**. Designating Key Bank, National City Bank, Charter One Bank, Fifth Third Bank, Huntington National Bank and First Merit Bank as depositories for active and interim funds for the City of Brooklyn, Ohio for the period of April 1, 2005 thru March 31, 2010."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Clerk Fisk: "To suspend the rules on Ordinance #2005-9, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

President Balbier: "The next one is **ORDINANCE 2005-10**, Authorizing the Mayor to seek bids for capital projects, equipment and city services for fiscal year 2005."

Councilman J. Frey: "Introduced by all, suspend the rules."

President Balbier: "Do we need a second?"

Councilwoman Pucci: "Second."

Clerk Fisk: "For Ordinance 2005-10, to suspend the rules, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

Rich Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

"Greg Frey."
"John Frey."

Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

President Albier: "The next one is **ORDINANCE 2005-11**, Authorizing inter-fund transfers and advances for 2005."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To suspend the rules..."

President Albier: "Wait, we need a second."

Councilwoman Gallagher: "I did."

Councilman G. Frey: "Colleen did."

President Albier: "Oh, okay."

Councilwoman Brown: "Colleen seconded."

President Albier: "Alright."

Clerk Fisk: "To suspend the rules on Ordinance 2005-11, Rich Albier." Rich Albier: "Yea."
"Kathy Pucci." Councilwoman Pucci: "Yea."
"Rita Brown." Councilwoman Brown: "Yea."
"Colleen Gallagher." Councilwoman Gallagher: "Yea."
"Greg Frey." Councilman G. Frey: "Yea."
"John Frey." Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier." Rich Albier: "Yea."
"Kathy Pucci." Councilwoman Pucci: "Yea."
"Rita Brown." Councilwoman Brown: "Yea."
"Colleen Gallagher." Councilwoman Gallagher: "Yea."
"Greg Frey." Councilman G. Frey: "Yea."
"John Frey." Councilman J. Frey: "Yea."

President Albier: "**ORDINANCE 2005-12**, the Annual Appropriations Ordinance. And I believe we're going to put this on first reading?"

Councilwoman Pucci: "Yes, do you have to read the title?"

President Albier: "An Ordinance to make appropriations for current and other expenditures of the City of Brooklyn, State of Ohio for the period of January 1, 2005 to December 31, 2005."

Councilwoman Pucci: "Move to put on first reading."

Councilwoman Brown: "Second."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To place Ordinance 2005-12 on first reading, Rich Albier." Rich Albier: "Yea."
"Kathy Pucci." Councilwoman Pucci: "Yea."
"Rita Brown." Councilwoman Brown: "Yea."
"Colleen Gallagher." Councilwoman Gallagher: "Yea."
"Greg Frey." Councilman G. Frey: "Yea."

"John Frey."

Councilman J. Frey: "Yea."

President Albier: "**ORDINANCE 2005-13**, Establishing the registration fee for the Day Camp program within the Recreation Department; Repealing Ordinance 2002-16."

Councilwoman Brown: "Mr. Albier."

President Albier: "Yes Mrs. Brown."

Councilwoman Brown: "I think you ought to read Section 1 and 2, Section 1 and 2."

President Albier: "Section 1. Each participant in the Brooklyn Recreation Department's Day Camp program shall pay a registration fee. The fee for such a program for those persons who have first obtained a residential identification and who reside within the City of Brooklyn will be at the rate of \$125 for the five-week program. Special events and field trips are not included in the program costs. Section 2. In order for the Day Camp program to be conducted there must be a minimum of 50 registered participants."

Councilwoman Brown: "Thank you."

President Albier: "Can I have a motion?"

Councilwoman Brown: "Introduced by all, suspend the rules."

President Albier: "Second."

Clerk Fisk: "For Ordinance 2005-13, to suspend the rules, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

President Albier: "**ORDINANCE 2005-14**, Establishing the fee for participation in the annual Brooklyn Home Days, repealing Ordinance 1994-31, adopted June 13, 1994. This ordinance is to up the fees that they charge for the different non-profit and profit organizations that participate in the Home Days."

Councilwoman Brown: "Mr. Albier, I think we should read Section 1."

President Albier: "Section 1. The admission for the fee for participation in the annual Brooklyn Home Days shall be as follows: Resident non-profit organization, not less than \$25 nor more than \$50 per day; Resident profit organization, not less than \$50 nor more than \$150 per day; Non-resident non-profit organization, not less than \$30 nor more than \$60 per day; Non-resident profit organization, not less than \$100 nor more than \$200 per day."

Councilwoman Brown: "Thank you Mr. Albier. Motion to approve, suspend the rules."

Councilwoman Pucci: "Second."

Clerk Fisk: "For Ordinance 2005-14, to suspend the rules, Rich Albier."

Rich Albier: "Yea."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"John Frey."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"John Frey."

Rich Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

President Albier: "**2005-15**, Adopting the 2004 Residential Code of Ohio for one, two and three-family dwellings; replacing sections inconsistent therein, and deleting as amended. Mr. Ockington, do you have a comment on this ordinance?"

Comm. Ockington: "The sections that have been replaced are just to comply with existing ordinances that we have in place, as far as fee schedules and court penalties and things like that."

President Albier: "Okay, thank you."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2005-15, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"John Frey."

Rich Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"John Frey."

Rich Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

President Albier: "The next one is **ORDINANCE 2005-16**, Establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures by providing for the standards for supplying utilities and facilities and conditions essential to ensure that structures are safe, sanitary and fit for occupancy and use and the condemnation of buildings and structures unfit for human occupancy and use in the demolition of such structure known as Property Maintenance Code. Mr. Ockington."

Comm. Ockington: "That also, many of the amendments are just to make it fit in with our Charter and other ordinances, and there's a couple of amendments in there that are things that have come up in the last two years that we needed to address as far as property maintenance things on construction sites and what not."

President Albier: "Okay, thank you."

Councilwoman Brown: "Introduced by all, suspend the rules."

Councilwoman Pucci: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2005-16, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"John Frey."

Rich Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."
"John Frey."

Rich Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman G. Frey: "Yea."
Councilman J. Frey: "Yea."

President Albier: "Does any other Councilman have anything they wish to say?"

Councilman J. Frey: "Move we adjourn."

President Albier: "No, Mrs. Pucci mentioned earlier she wanted to go in executive session. Would you re-state the reasons you want to go in?"

Councilwoman Pucci: "I move we go into executive session with the Law Director and the Mayor to discuss a recently filed lawsuit and potential litigation."

Councilwoman Brown: "Second."

Clerk Fisk: "To adjourn to executive session to discuss a lawsuit, Rich Albier." Rich Albier: "Yea."
"Kathy Pucci."

Councilwoman Pucci: "Pardon me?"

Director Shaper: "You've got to disagree with that..."

Councilwoman Pucci: "Right. You just said the lawsuit, but I stated two things."

Clerk Fisk: "Oh, I'm sorry."

Councilwoman Pucci: "And potential litigation."

Director Shaper: "And Rich is not on board with that, so I'm just..."

Councilwoman Pucci: "Are you comfortable with that, or what do you want to do?"

Director Shaper: "I am comfortable with that."

Councilwoman Pucci: "Okay, because that's where we discussed it before."

Director Shaper: "I don't want to have... I can wait till talking about it with you at another time (inaudible), we could have the executive session next week too, it doesn't matter to me, if you're not comfortable Rich."

President Albier: "I'm comfortable as long as you..."

Director Shaper: "Let me talk to you for a minute."

President Albier: "No, let's go into executive session."

Director Shaper: "I'm fine with that."

Clerk Fisk: "Do you want it for both reasons then?"

President Albier: "For both reasons, yes."

Clerk Fisk: "To adjourn to executive session to discuss the lawsuit and pending litigation."

Councilwoman Pucci: "No, potential."

Clerk Fisk: "Potential lawsuit and potential pending litigation. Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

COUNCIL ADJOURNED INTO EXECUTIVE SESSION AND THEN RECONVENED.

President Albier: "We need a motion."

Councilman G. Frey: "Move we adjourn."

Councilwoman Pucci: "Move we reconvene."

President Albier: "Reconvene first."

Councilman G. Frey: "Move we reconvene."

Councilwoman Gallagher: "Second."

President Albier: "Second."

Clerk Fisk: "To return from executive session and reconvene the meeting, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

Councilwoman Pucci: "Move to adjourn."

President Albier: "Second."

Clerk Fisk: "To adjourn, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Greg Frey."

"John Frey."

Rich Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman G. Frey: "Yea."

Councilman J. Frey: "Yea."

Meeting adjourned.